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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/593,061

02/12/2007

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SON-3206

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23353 7590 05/08/2009
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EXAMINER

SONG, DAEHO D

ART UNIT

PAPER NUMBER

2175

MAIL DATE

DELIVERY MODE

05/08/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/593,061	Applicant(s) OHASHI, HISASHI	
	Examiner DAEHO D. SONG	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 February 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9/15/06;11/28/07;12/2/08</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This is the initial Office Action based on the application number 10593061, filed February 12, 2007. Claims 1-12, as originally filed, are currently pending and have been considered below. Claims 1, 6, 11 and 12 are the independent claims.

Information Disclosure Statement

1. The information disclosure statement filed 11/28/07 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because there is no English translation for the submitted foreign patent document to be considered, such as JP2004-075676. It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609.05(a).

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-3 and 6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

a. Claims 1 and 6 are rejected because there is insufficient antecedent basis for the limitation "the keys" in line 14 of page 19 and line 19 of page 20, respectively. Appropriate correction is required.

b. Claims 2 and 3 are rejected because they recite the limitation "one of two paired functions", and it is vague and indefinite. That is, it is unclear whether it refers to "one paired function", or to "one function out of four functions". For the purpose of Examination, it will be interpreted as "one of paired functions" according to the Specification on page 11. Appropriate correction is required.

c. Claim 6 is rejected because it recites the limitation "a function ...for items that are not included in the plurality of items", and it is unclear what this limitation refers to. It is also unclear how a function for items not included or not existed is assigned to. It is further unclear whether it is intended to state "not showed", "not presented" or "not displayed" on screen. For the purpose of Examination, it will be interpreted as initial assignment functions for the items not shown on screen according to a predetermined operation by the operating unit of device.

Claims 1-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1-10:

Both Claims 1 and 6 first recite an “*electronic device having a display panel and a plurality of keys to which desired functions can be assigned*” (see Lines 1-3) and subsequently recite method steps for assigning the desired functions to the keys (see limitations in the body of the claims). These claims are indefinite because it is unclear whether the claims are for the recited “*electronic device*” or the recited method.

Applicant must amend the claim to particularly point out and distinctly claim the subject matter which Applicant regards as the invention, as required in 35 U.S.C. 112, second paragraph. Particularly, Applicant must either: 1) amend the claim to recite an “*electronic device*” in the preamble and subsequently recite the components of the “*electronic device*,” or 2) amend the claim to recite a “method” in the preamble and subsequently recite the steps of the “method.”

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-12 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Matsumoto et al. (hereinafter Matsumoto): U.S. Patent Application Pub. No. 2002/0007487.

Matsumoto expressly teaches:

Claim 1. An electronic device having a display panel and a plurality of keys to which desired functions can be assigned, comprising:
displaying a plurality of items on the display panel (fig. 10; [0014]: displaying multiple items on the display);
setting a desired item which is selected from the plurality of items (fig. 10; [0014]: selecting a item from the list of items);
displaying a setting screen corresponding to the desired item which is selected (fig. 10; [0014]: displaying a setting menu corresponding to the selected item); and
setting the desired item by using the setting screen, wherein a function for displaying the setting screen when one of the keys is operated is assigned to at least one of the plurality of keys (figs. 10-11; [0014] [0062]-[0066]: assigning the desired operation function to a function key) .

Claim 2. The electronic device as set forth in claim 1, wherein when one of two paired functions is assigned to one of the plurality of keys, a message which prompts a user to

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assign the other of the two paired functions to the key appears ([0068]: assigning an operation function to a key manually by means of user's selection of menu item).

Claim 3. The electronic device as set forth in claim 1, wherein when one of two paired functions is assigned to one of the plurality of keys, the other of the paired functions is automatically assigned to the key ([0068]: assigning an operation function to a key automatically by means of automatic performance of registration operation).

Claim 4. The electronic device as set forth in claim 1, wherein a sequence of operations that a user has preformed are stored and stored operations are assigned to one of the plurality of keys ([0064][0065]: registration operation in memory corresponding to a designated function key).

Claim 5. The electronic device as set forth in claim 1, wherein functions assigned to two keys of the plurality of keys are changed with each other ([0066]: interchangeable function keys).

Claim 6. An electronic device having a display panel and a plurality of keys to which desired functions can be assigned, comprising:
displaying a plurality of items on the display panel (fig. 10; [0014]: displaying multiple items on the display);
setting a desired item which is selected from the plurality of items (fig. 10; [0014]:

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selecting a item from the list of items);

displaying a setting screen corresponding to the desired item which is selected (fig. 10;

[0014]: displaying a setting menu corresponding to the selected item); *and*

setting the desired item by using the setting screen, wherein a function for displaying

the setting screen for items that are not included in the plurality of items when one of the

keys is operated is assigned to at least one of the plurality of keys (figs. 10-11; [0014]:

assigning initial operation function to a function key according to a predetermined

operation by the operating unit for not shown menu items).

Claims 7-10:

The subject matter recited in Claims 7-10 corresponds to the subject matter recited in Claims 2-5, respectively. Thus Matsumoto discloses every limitation of Claims 7-10, as indicated in the above rejections for Claims 2-5.

Claims 11-12:

The subject matter recited in Claims 11-12 corresponds to the subject matter recited in Claims 1 and 6, respectively. Thus Matsumoto discloses every limitation of Claims 11-12, as indicated in the above rejections for Claims 1 and 6.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAEHO D. SONG whose telephone number is (571)272-7524. The examiner can normally be reached on Mon-Fri 7:30-5:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on 5712724137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Daeho D Song/

Examiner, Art Unit 2176

/DOUG HUTTON/

Supervisory Patent Examiner, Art Unit 2176